

S/N 10/825,832

Response to Office Action Dated 05/23/2005

REMARKS

Applicant appreciates Examiner's assistance and respectfully requests reconsideration and allowance of the subject application.

Claims 1-5 are currently pending.

Claims 1, 3-5 are amended.

No claims are canceled.

No new claims are added.

Claims 1-5 are currently pending.

Rejection of the Claims**Rejection under 35 USC § 112 second paragraph**

Claims 1, 3 and 4 were rejected under 35 USC § 112 second paragraph as being indefinite.

Claims 1, 3 and 4 have been amended for clarity, to more particularly point out and distinctly claim the subject matter.

Applicant suggests that the amendments cure the indefiniteness. The amendments include language to clarify that the methods prevent devices from deleting an object when its corresponding object is unavailable, a common problem during synchronizations in which a removable storage medium is missing from one of the devices. Thus, deleting objects or deleting data items is not part of the claimed methods, but was included in order to show the circumstances in which the methods are used.

Since the indefinite language has now been cured, Applicant requests that the 35 USC § 112 second paragraph rejection be removed.

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Rejections under 35 USC § 102(e)

Claims 1, 2, 3 were rejected under 35 USC § 102(e) as being anticipated by U.S. Patent No. 5,974,238 to Chase ("Chase" or the "Chase reference").

Claims 4 and 5 were rejected under 35 USC § 102(e) as being anticipated by U.S. Patent No. 6,006,274 to Hawkins ("Hawkins" or the "Hawkins reference").

Claim 1

Claim 1, as amended, defines a method of synchronizing objects between two devices when some of the objects are intermittently unavailable on one of the devices, wherein the method prevents the devices from deleting an object when its corresponding object on the other device is unavailable, including:

creating a list of the objects to update on a first computing device and a second computing device, wherein the objects on the second computing device are updated using corresponding objects on the first computing device; and

if an object is on the list, then instructing the second computing device to refrain from updating the object when the first computing device cannot access the corresponding object.

Chase, on the other hand, discloses an apparatus for performing dynamic synchronizations between non-coherent data stored in a handheld computer and a host computer, each having a plurality of data sets including at least one common data set, each computer having a copy of the common data set.

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Chase does not show or disclose using only one list of corresponding objects that can perform preservation of objects during synchronization even if the list only exists on one of the devices being synchronized.

Since Chase does not show or disclose all the elements of Applicant's claim 1, Applicant suggests that Claim 1 is allowable over the Chase reference.

Claim 2

For at least the reasons set forth above with respect to claim 1, Applicant submits that claim 2 is also allowable. Dependent claims contain the language of the claims from which they depend. Claim 2 depends from claim 1. Therefore, claim 2 should also be allowable.

Claim 3

Claim 3, as amended, defines method of maintaining contemporaneous data items within corresponding objects when one of the corresponding objects has new data items, wherein the method prevents devices from deleting an object during synchronization when its corresponding object is unavailable, including:

listing pairs of corresponding objects, wherein a first member of each pair resides on a first computing device and a second member of each pair resides on a second computing device;

synchronizing each available pair of objects with new data items from either object in the pair; and

protecting an object and the data items it contains from deletion during synchronization if a corresponding object in a listed pair is unavailable.

The Chase reference does not show or disclose listing pairs of corresponding objects and protecting an object and the data items it contains

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from deletion during synchronization if a corresponding object in a listed pair is unavailable.

Since Chase does not show or disclose all the elements of Applicant's claim 3, Applicant suggests that Claim 3 is allowable over the Chase reference.

Claim 4

Claim 4, as amended, defines a method of maintaining contemporaneous corresponding objects on a first and a second device throughout synchronization, wherein the method prevents the devices from deleting an object when its corresponding object is unavailable, including:

creating a list of corresponding objects prior to the synchronization;

during synchronization, determining if an object on the list exists in the first device;

if the object does not exist in the first device then determining if the object exists in the second device; and

if the object exists in the second device then protecting the object from deletion caused by the synchronization and allowing the first device to access the object or providing the object to the first device.

The Hawkins reference does not show or disclose using a single list that can be kept on just one device to protect an object from deletion during synchronization if a corresponding object does not exist on the other device being synchronized and allowing access to the object by the device that is missing the object.

Since Hawkins does not show or disclose all the elements of Applicant's claim 4, Applicant suggests that Claim 4 is allowable over the Hawkins reference.

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Claim 5

Claim 5, as amended, defines a synchronization method for computing devices, wherein the method prevents devices from deleting an object when its corresponding object is unavailable, including:

- creating a list of corresponding objects stored on two computing devices;
- communicatively coupling the two computing devices for synchronization;
- preventing deletion of the object during synchronization when the corresponding object is unavailable and the object is on the list.

The Hawkins reference does not show or disclose creating a single list of corresponding objects, capable of being kept on only one computing system, and preventing deletion of an object during synchronization when the object's corresponding object is unavailable, yet the object is on the list. Rather, the Hawkins reference describes that each system being synchronized maintains a set of status flags for each of its data records (column 3, lines 38-48). If the status flag on one computer system indicates a record is deleted, then the corresponding record will be deleted on the other computer system, the very problem that Applicant's claim 5 prevents, when the "deleted" record is merely unavailable due to a removed storage volume.

Since Hawkins does not show or disclose all the elements of Applicant's claim 5, Applicant suggests that Claim 5 is allowable over the Hawkins reference.

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CONCLUSION

Applicant respectfully suggests that claims 1-5 are in condition for allowance. Applicant respectfully requests reconsideration and issuance of the subject application. Should any matter in this case remain unresolved, the undersigned attorney respectfully requests a telephone conference with the Examiner to resolve any such outstanding matter.

Respectfully Submitted,

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Respectfully,

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